



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

APR 16 2010

VIA ELECTRONIC MAIL  
and FIRST CLASS MAIL

William J. McGinley, Esq.  
Patton Boggs LLP  
2550 M Street, Northwest  
Washington, DC 20037

RE: MUR 6054  
Vern Buchanan for Congress  
and Joseph R. Gruters, in his  
official capacity as treasurer

Dear Mr. McGinley:

On August 26, 2008, the Federal Election Commission notified your clients, Vern Buchanan for Congress, and its treasurer, ("Committee") of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). On October 6, 2008, your clients provided a "*Sua Sponte* Submission" to the Commission disclosing that Hyundai of North Jacksonville ("HNJ"), an automobile dealership in which Representative Buchanan had a financial interest, had reimbursed \$52,000 in contributions to the Committee. On December 31, 2009, the Commission notified the Committee that it had ascertained information in the normal course of carrying out its supervisory responsibilities that the Committee may have knowingly accepted contributions that were made by one person in the name of another person in violation of 2 U.S.C. §§ 441f and 441a(f). On January 15, 2010, the Commission provided additional information to the Committee identifying the specific contributions that it may have knowingly accepted from HNJ that were made in the names of HNJ employees and other individuals. On February 25, 2010, the Commission provided additional information to the Committee indicating that it may have knowingly accepted contributions made in the name of another.

Upon further review of the allegations contained in the complaint, information in the Committee's October 6, 2008 submission, and information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, the Commission, on March 17, 2010, found that there is reason to believe that Vern Buchanan for Congress and Joseph R. Gruters, in his official capacity as treasurer, knowingly and willfully violated 2 U.S.C. §§ 441f and 441a(f), provisions of the Act. The Factual and Legal Analysis, which more fully explains the Commission's finding, is attached for your information.

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Your clients may submit any factual or legal materials that they believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath.

In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

Please note that your clients have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

If your clients are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to your clients.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days and the execution of an appropriate tolling agreement will be required.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that your clients wish the investigation to be made public.

If you have any questions, please contact Michael Colaninno or Jack Gould, the attorneys assigned to this matter, at (202) 694-1650.

On behalf of the Commission,

  
Cynthia L. Bauerly  
Vice Chair

Enclosures

Factual and Legal Analysis

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**BEFORE THE FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

In the Matter of )  
Vern Buchanan for Congress and Joseph R. Gruters,<sup>1</sup> ) MUR 6054  
in his official capacity as treasurer )

**I. GENERATION OF MATTER**

This matter was generated by a complaint filed with the Federal Election Commission by Citizens for Responsibility and Ethics in Washington, Melanie Sloan, David J. Padilla, and Carlo A. Bell, and by a *sua sponte* submission by Vern Buchanan for Congress. See 2 U.S.C. § 437g(a)(1) and (2).

**II. FACTUAL SUMMARY**

This matter concerns at least \$70,000 in campaign contributions allegedly received by Vern Buchanan for Congress ("VBFC" or "Committee") during the 2006 and 2008 election cycles that were reimbursed with the funds of car dealerships in which Representative Vern Buchanan ("Buchanan") currently holds, or previously held, a majority ownership interest, including 11-2801 LLC d/b/a Hyundai of North Jacksonville ("HNJ") and 1099 L.C. d/b/a Verizon Nissan Dodge ("VND"). There is information that Buchanan and his Committee were aware at the time of the contributions made by employees of HNJ that the funds used to make the contributions came from HNJ through undisclosed reimbursements to the individual contributors.

<sup>1</sup> Vern Buchanan for Congress amended its statement of organization on March 3, 2009, naming Joseph R. Gruters as treasurer.

## Factual and Legal Analysis

Vern Buchanan for Congress and Joseph R. Gruters,  
in his official capacity as treasurer

1 More specifically, there is information that:

- 2 • Buchanan pressured his minor partners in car dealerships he controlled to
- 3 contribute to his political campaigns and to raise contributions to VBFC.
- 4 • During his campaigns in the 2006 and 2008 election cycles, Buchanan
- 5 told Sam Kazran ("Kazran"), his partner at HNJ, to reimburse
- 6 contributions to VBFC with HNJ funds.
- 7 • In October 2008, Buchanan presented Kazran with a false affidavit
- 8 stating that Buchanan was unaware of reimbursed contributions at HNJ
- 9 and pressured him to sign it.
- 10 • As early as 2003, Buchanan authorized the reimbursement of federal
- 11 contributions, despite being told that it was illegal to do so.

12 Based upon this evidence, described more fully below, there is reason to believe  
13 that Vern Buchanan for Congress and Joseph R. Gruters, in his official capacity as  
14 treasurer, knowingly and willfully violated 2 U.S.C. § 441f by knowingly accepting  
15 contributions made in the name of another and § 441a(f) by knowingly accepting  
16 excessive contributions in violation of applicable law.<sup>2</sup>

<sup>2</sup> Prior to the General Counsel's Office making any recommendations to the Commission as to whether there is reason to believe that the Committee may have violated the Act, the General Counsel's Office notified the Committee that the Commission had ascertained information in the normal course of carrying out its supervisory responsibilities indicating that the Committee may have knowingly accepted contributions that were made by one person in the name of another person in violation of 2 U.S.C. §§ 441a(f) and 441f. See letter from Ann Marie Terzaken to the Committee dated December 31, 2009. After a further exchange of correspondence, on January 21, 2010, the Committee filed with the Commission a petition that "the Commission instruct [OGC] to provide VBEC with the additional information it is withholding in connection with deliberations concerning whether to recommend reasons to believe against VBFC in [MUR 6054 and Pre-MUR 479]." The Committee further moved that "the Commission instruct OGC to provide VBFC with a written explanation concerning why the sua sponte submission was merged with MUR 6054 without notifying VBFC and a description of the steps taken by

1           **A.     PRESSURE TO RAISE CONTRIBUTIONS**

2           There is information that Buchanan pressured his minor partners in the car  
3     dealerships he controlled to contribute to his campaigns and raise contributions from  
4     dealership managers, employees, vendors, and customers. Specifically, there is  
5     information that (1) Buchanan asked his partners during partnership meetings and phone  
6     calls to fundraise for his campaign; (2) pressure to raise funds intensified as the campaign  
7     progressed; and (3) the expectation was that the partners needed to contribute and raise  
8     contributions from others.

9           At the relevant times, Buchanan was the majority owner of approximately fifteen  
10    to seventeen car dealerships, primarily located in Florida.<sup>3</sup> House of Representatives  
11    Financial Disclosure Reports for Vernon Buchanan (May 11, 2006). Each dealership was  
12    typically structured as a limited liability company owned by a company that Buchanan  
13    fully owned and a business partner who was responsible for the daily operation of the  
14    dealership. All of the Buchanan companies that held Buchanan's controlling ownership  
15    share of the dealerships were run from a single corporate office by a common set of  
16    managers. The common executives who managed Buchanan's controlling interest in the  
17    dealerships included John Tosch as Chief Executive Officer and Dennis Slater as

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the OGC, in connection with these matters." On February 5, 2010, the General Counsel's Office sent a letter to VBFC advising that the Commission was not granting the relief in the requested Motion, and inviting the Committee to file any information it deemed relevant by February 11, 2010. The Committee did not provide any additional information. Prior to the Commission finding reason to believe as to the Committee, on February 25, 2010, the General Counsel's Office sent a letter to VBFC providing additional information so that the Committee could supplement its *sua sponte* submission by responding to "specific allegations" set forth as to the Committee and offering an opportunity to respond. The Committee did not respond.

<sup>3</sup> The partners during the 2005-2006 election cycle included, among others, David Long (Sarasota-Ford), Shelby Curtzinger (Venice Nissan Dodge), and Sam Kazran (Hyundai of Jacksonville).

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1 Corporate Controller and, later, Chief Operating Officer.<sup>4</sup> All of the operating partners as  
2 well as Buchanan and his corporate managers (John Tosch, Dennis Slater, and others)  
3 attended monthly partner meetings.

4 There is information that (1) Buchanan informed the partners that he would be  
5 running for Congress and would like their help in raising money; (2) Buchanan  
6 repeatedly asked for contributions, noting at times that it was the end of the FEC  
7 reporting period and that he needed to have money; and (3) as time went along,  
8 Buchanan's intensity with raising funds grew.

9 There is information that Buchanan's partners considered their efforts for  
10 Buchanan's campaign to be a favor for Buchanan at first, but they later tired of it, and  
11 some partners felt that it was expected that they contribute or they felt compelled to  
12 contribute. There is information that the solicited partners would in turn solicit  
13 dealership general managers who would solicit their lower level managers and ask them  
14 to write a check to VBFC, which in some cases they would reimburse. The general  
15 managers and lower level managers were sometimes solicited for similar contributions.<sup>5</sup>  
16 There is information that some partners extensively, and in some cases repeatedly,  
17 solicited dealership vendors, customers, and employees.

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<sup>5</sup> The information indicates that although partners discussed fundraising with Buchanan, he was not the only person connected to the campaign that partners worked with on fundraising. A woman working for Buchanan in his corporate headquarters, who helped with the campaign and eventually became the campaign's spokesperson, sometimes called partners to ask them to change the amount on the contribution checks, follow-up when a contribution did not arrive on time, or otherwise apply pressure to send the money.

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Factual and Legal Analysis  
Vern Buchanan for Congress and Joseph R. Gruters,  
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1 There is information that Buchanan did not use his own money for his campaign  
2 because doing so would not look as impressive as if the money was raised from others.

3 **B. BUCHANAN'S ALLEGED INSTRUCTION TO REIMBURSE**  
4 **CONTRIBUTIONS WITH DEALERSHIP FUNDS**

5  
6 There is information that Buchanan instructed a business partner to have  
7 contributors make contributions from joint checking accounts to permit higher  
8 contributions from each contributor and directed him to reimburse the contributors using  
9 dealership funds.

10 **1. Contributions Reimbursed with HNJ funds in 2005**

11 There is information that in November 2005, Buchanan told his partner Sam  
12 Kazran that he had to gather as much money as possible and that he expected Kazran to  
13 raise \$50,000 in contributions to VBFC. There is also information that Buchanan  
14 instructed Kazran that the personal checking accounts on which the employee's  
15 contribution checks were written should have both the husband and wife's names on  
16 them, and that the contributions should be reimbursed using HNJ funds. There is also  
17 information that as a result, HNJ employees and their spouses contributed to VBFC and  
18 their contributions were reimbursed with HNJ funds. HNJ reimbursed \$16,800 in  
19 contributions in 2005, all dated November 29, 2005:

Lephart, Ernest C.	11/29/2005	\$2,100.00
Lephart, Ernest C.	11/29/2005	\$2,100.00
Lephart, Gayle	11/29/2005	\$2,100.00
Lephart, Gayle	11/29/2005	\$2,100.00
Smith, Diana M.	11/29/2005	\$2,100.00
Smith, Diana M.	11/29/2005	\$2,100.00
Smith, Gary W.	11/29/2005	\$2,100.00

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<b>Smith, Gary W.</b>	<b>11/29/2005</b>	<b>\$2,100.00</b>
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**1**

**2**

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**8**

**There is information that HNJ gave employees the reimbursements on the same day as their contributions because they did not have enough money in their accounts to cover the contributions.**

**2. Contributions Reimbursed with HNJ funds in 2006**

**There is information that at the request of Buchanan, another \$32,700 in contributions made to VBFC was reimbursed with HNJ funds in January, March, and June 2006, as set forth in the chart below.**

<b>Sams, Vincent G.</b>	<b>1/02/2006</b>	<b>\$2,100.00</b>
<b>Sams, Vincent G.</b>	<b>1/02/2006</b>	<b>\$2,100.00</b>
<b>Sams, Patricia G.</b>	<b>1/02/2006</b>	<b>\$2,100.00</b>
<b>Sams, Patricia G.</b>	<b>1/02/2006</b>	<b>\$1,200.00</b>
<b>Farid, Atefah K.</b>	<b>3/31/2006</b>	<b>\$2,100.00</b>
<b>Farid, Atefah K.</b>	<b>3/31/2006</b>	<b>\$2,100.00</b>
<b>Farid, Joshua</b>	<b>3/31/2006</b>	<b>\$2,100.00</b>
<b>Farid, Joshua</b>	<b>3/31/2006</b>	<b>\$2,100.00</b>
<b>Cutaja, Doreen A.</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Cutaja, Doreen A.</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Cutaja, Joseph P.</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Cutaja, Joseph P.</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Khazravan, Eric</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Khazravan, Eric</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Khazravan, Heidi</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>
<b>Khazravan, Heidi</b>	<b>6/28/2006</b>	<b>\$2,100.00</b>

**9**

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**12**

**13**

**There is information that in June of 2006 Buchanan tried to induce a business partner at HNJ to raise money for VBFC as part of negotiations for the partner's purchase of Buchanan's share of another automobile dealership. There is information that Buchanan offered to accept a proposed payment plan if the business partner committed to**

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1 raising \$25,000 to \$50,000 for VBFC. There is also information that when the business  
2 partner explained he would be unable to obtain such contributions, Buchanan told him to  
3 reimburse the contributions using company funds.

4 **3. Contributions Reimbursed with HNJ funds in 2007**

5 There is information that HNJ funds were again used to reimburse contributions  
6 in 2007, totaling \$18,400:

Cutaia, Doreen A.	12/31/2007	\$2,300.00
Cutaia, Doreen A.	12/31/2007	\$2,300.00
Champ, Stephanie K.	12/31/2007	\$2,300.00
Champ, Stephanie K.	12/31/2007	\$2,300.00
Lephart, Ernest C.	12/31/2007	\$2,300.00
Lephart, Ernest C.	12/31/2007	\$2,300.00
Lephart, Gayle	12/31/2007	\$2,300.00
Lephart, Gayle	12/31/2007	\$2,300.00

7  
8 There is information that the total amount of reimbursed contributions to VBFC  
9 using HNJ funds was approximately \$67,900: \$16,800 in 2005, \$32,700 in 2006, and  
10 18,400 in 2007.

11 **4. Other Reimbursement Activities**

12 There is information that at least one other Buchanan dealership, VND,  
13 reimbursed five employees' \$1,000 contributions to VBFC. There is information that  
14 these bonuses are not reflected in the company's payroll records. There is information  
15 that Buchanan's business partner at VND, Shelby Curtsinger, had at one time complained

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1 that he would no longer reimburse contributions to VBFC because of cash flow problems  
2 at the dealership.

3 **C. ALLEGED FALSE AFFIDAVIT**

4 There is information that on October 2, 2008, counsel for Buchanan presented  
5 Sam Kazran, his former partner at HNJ, with a false affidavit stating that Buchanan was  
6 unaware of reimbursed contributions at HNJ. Buchanan and Kazran were in the process  
7 of negotiating a deal in which Buchanan would purchase Kazran's share of a dealership  
8 and repay funds that Buchanan had withdrawn from the dealership. An email made  
9 during the negotiation of this agreement suggests that the repayment of the HNJ funds  
10 used to reimburse campaign contributions was part of the negotiations. On October 1,  
11 2008, Kazran wrote to an attorney representing Buchanan in the business matter about the  
12 possible terms of an agreement with Buchanan.

13 Vern had mentioned he would want to reimburse the stores a bill that he  
14 and I spoke of, the total amount is \$83,500. He has copies of 52k, if he  
15 likes I can get the rest or he can verify through his record. This was at  
16 his request.

17  
18 This portion of an otherwise straightforward email about the necessary loans, financing,  
19 and collateral for an agreement between Buchanan and Kazran appears to refer to  
20 Buchanan's repayment to HNJ for the campaign contributions Sam Kazran reimbursed  
21 using HNJ funds. Kazran sent Buchanan's CEO, John Tosch, copies of the contribution  
22 checks that he had people write to VBFC (which were reimbursed by HNJ) in order to  
23 substantiate the amounts that Buchanan should repay.

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1 An email from Kazran to Tosch several days later suggests that as part of this  
2 settlement, Buchanan and Kazran discussed a proposal by Buchanan to repay HNJ for its  
3 reimbursement of contributions to VBFC. On October 5, 2008, Sam Kazran emailed  
4 John Tosch stating, among other things:

5 Vern and I will talk about the last part without attorneys[sic], I think I  
6 have a suggestion that will make him happy . . . He wants to cut a check  
7 for all the amount, I have about 70% taken down the rest are credit  
8 cards, if he wants to verify, I have to call the campaign manager to ask  
9 her for details, if you can have someone do that I would appreciate it.

10  
11 Buchanan and Tosch signed a draft agreement (hereinafter, the "Buchanan Offer  
12 Letter") dated October 2, 2008, offering to Kazran that they "resolve all existing claims  
13 among them with respect to all past and current business relationships." The Buchanan  
14 Offer Letter is dated one day after Kazran's email communication to Buchanan's  
15 attorney.

16 Paragraph 12 of the Buchanan Offer Letter, however, required Kazran to sign an  
17 affidavit attached to the agreement. Exhibit A of the Buchanan Offer Letter, titled  
18 "Affidavit of Sam Kazran a/k/a Sam Khazran," included the statements:

19  
20 4. During the course of tense and somewhat hostile negotiations between my  
21 lawyers and me, and representatives for Buchanan, I advised a representative of  
22 Buchanan that one or more of the dealerships of which I was in operational  
23 control had reimbursed certain individuals who had contributed to the Buchanan  
24 for Congress campaign.

25  
26 5. Before September, 2008, neither I nor to my knowledge, any other person who  
27 had ever advised Buchanan or any of his representatives had any information that  
28 one or both of the dealerships referred to in 1 above [HNJ] reimbursed certain  
29 individuals for contributions made to the Vernon G. Buchanan for Congress  
30 campaign.  
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1 ...

2  
3 7. No one has advised me that Buchanan or any representative of his knew of any  
4 intention, plan or arrangement by anyone to make a reimbursement, directly or  
5 indirectly, to a person in exchange for making a contribution to the Buchanan for  
6 Congress campaign.  
7

8 Buchanan Offer Letter at 2.

9 There is information that Kazran refused to sign the affidavit, which stated that  
10 Buchanan did not know about the reimbursements, because that statement was false.

11 **D. BUCHANAN'S KNOWLEDGE OF THE LAW**

12 There is information that the earliest indication that Buchanan authorized his  
13 business partners to reimburse federal contributions using company funds was in 2003,  
14 before his candidacy. There is information that Buchanan pressured managers and  
15 employees to attend a George W. Bush/Republican National Committee joint fundraiser  
16 and contribute \$1,000 each. There is also information that around this time, Buchanan  
17 instructed that Don Jenkins, a business partner of Buchanan, be reimbursed for Jenkins'  
18 political contribution by V.B. Investments, of which Buchanan owned 51% at the time.  
19 Finally, there is information that although Buchanan was warned on this occasion that  
20 reimbursing contributions was illegal, he ignored it nonetheless.

21 **III. ANALYSIS**

22 The Act prohibits any person from making a contribution in the name of another  
23 person. 2 U.S.C. § 441f. The Act also prohibits any person from knowingly accepting a  
24 contribution made by one person in the name of another person. *Id.*<sup>6</sup> In addition, any

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<sup>6</sup> On June 8, 2009, a federal district court judge in California dismissed criminal charges that Pierce O'Donnell violated § 441 f by reimbursing conduit contributions to the 2004 presidential campaign of

## Factual and Legal Analysis

Vern Buchanan for Congress and Joseph R. Gruters,  
in his official capacity as treasurer

1 candidate who receives a contribution in connection with a campaign shall be considered  
2 as having received the contribution as an agent of his or her authorized committee.  
3 2 U.S.C. § 432(e)(2). In the 2006 election cycle, the individual contribution limit for  
4 giving to candidate committees was \$2,100 per election, and in the 2008 election cycle, it  
5 was \$2,300 per election. The contributions of a partnership are attributed to both the  
6 partners and the partnership itself, that is, the partnership itself is subject to the  
7 contribution limit in effect at the time for individuals. See 11 C.F.R. § 110.1(e).  
8 Accordingly, a partnership reimbursing contributions totaling more than \$2,100 (in the  
9 2006 cycle) or \$2,300 (in the 2008 cycle) per election would also constitute the making  
10 of an excessive contribution. Finally, committees may not knowingly accept excessive  
11 contributions 2 U.S.C. § 441a(f).

12 VBFC, in its *sua sponte* submission, acknowledges that it received \$52,000 in  
13 contributions made with HNJ funds in the names of others. VBFC *Sua Sponte*  
14 Submission at 2. There is information that establishes a reason to investigate whether  
15 Rep. Vernon Buchanan, the majority partner in several automobile dealerships including  
16 HNJ, directed at least one of his minority partners to use Buchanan dealership funds to  
17 contribute to Vern Buchanan for Congress by reimbursing campaign contributions made  
18 by (in the name of) dealership employees. Because Vern Buchanan for Congress is  
19 Buchanan's principal campaign committee and, therefore, Buchanan is an agent of the

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Senator John Edwards, ruling in part that Congress did not intend that provision to outlaw indirect contributions made through conduits. *U.S. v. O'Donnell*, C.D. Cal., Criminal No. 08-872. On September 23, 2009, the Commission filed an amicus curiae brief supporting the government's appeal of that decision. See MUR 5504 (Karoly) and 5818 (Fieger) (recent Commission matters involving § 441f violations).

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1 Committee, his alleged role in the alleged reimbursement of Buchanan dealership  
2 employee contributions may indicate that the Committee knowingly and willfully  
3 accepted contributions in the name of another and that it knowingly and willfully  
4 accepted excessive contributions from FNJ.

5 An investigation into the Committee's knowledge of the reimbursements and the  
6 law is necessary given the information that Buchanan instructed the raising of  
7 contributions to VBFC by having employees contribute to VBFC and reimbursing those  
8 employee (and spousal) contributions using the funds of HNJ, and by asking a partner to  
9 sign an affidavit regarding those contributions that Buchanan allegedly knew to be false.  
10 There is also information that indicates that Buchanan asked partners to raise money for  
11 the campaign, and at least some partners believed that they needed to contribute. The  
12 information further indicates that Buchanan instructed the reimbursement of another  
13 contribution despite being repeatedly advised that reimbursing contributions was illegal.  
14 The reimbursement of contributions also appears to have included contributions made by  
15 VND employees.

16 There is information that supports an investigation into whether VBFC knowingly  
17 and willfully received contributions in the name of another and excessive contributions,  
18 that is, contributions from Buchanan dealerships that reimbursed contributions made in  
19 the name of their employees, including \$67,900 in contributions from employees of HNJ  
20 and \$5,000 in contributions from employees of VND. Accordingly, there is reason to  
21 believe that Vern Buchanan for Congress knowingly and willfully violated 2 U.S.C.  
22 §§ 441f and 441a(f).

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## Factual and Legal Analysis

Vern Buchanan for Congress and Joseph R. Gruters,  
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1    **IV.    CONCLUSION**

- 2            **Based on the foregoing, the Commission finds reason to believe that Vern**  
3    **Buchanan for Congress and Joseph R. Gruters, in his official capacity as treasurer,**  
4    **knowingly and willfully violated 2 U.S.C. §§ 441f and 441a(f).**

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